[See fee exemption, Gov. Code § 6103]

Supreme Court Case No. S223603

SUPREME COURT
FILED

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IN THE SUPREME COURT
OF THE STATE OF CALIFORNIA

CLEVELAND NATIONAL FOREST FOUNDATION; SIERRA CLUB; CENTER FOR BIOLOGICAL DIVERSITY; CREED-21; AFFORDABLE HOUSING COALITION OF SAN DIEGO; PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiffs and Appellants,

v.

SAN DIEGO ASSOCIATION OF GOVERNMENTS; SAN DIEGO ASSOCIATION OF GOVERNMENTS BOARD OF DIRECTORS,

Defendants and Appellants.

REPLY TO ANSWERS TO PETITION FOR REVIEW

After a Decision by the Court of Appeal, Fourth Appellate District,
Division One
Case No. D063288

From the Judgment of the Superior Court of the State of California,
County of San Diego, Honorable Timothy B. Taylor
San Diego Superior Court Case No. 37-2011-00101593-CU-TT-CTL
(Lead Case)
[Consolidated with Case No. 37-2011-00101660-CU-TT-CTL]

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I. INTRODUCTION

The private petitioners and Attorney General have filed separate answers to the Petition for Review, but both repeat many of the same baseless mantras. Both repeatedly contend that the majority decision below does nothing more than apply "longstanding CEQA precedent" (AG Answer, p. 3; CNFF Answer, p. 2), but fail completely to identify *any* prior case law supporting the majority's remarkable holdings.

Petitioners also repeatedly claim that the EIR at issue failed as an "informational document," but fail to identify any case law, statute or CEQA Guideline requiring the information that they contend was wrongfully excluded. This is a fundamental problem that runs through this entire case. In every instance, the majority opinion pays lip service to the substantial evidence test, but in practice exercises its own completely independent and highly subjective judgment in the name of reviewing the adequacy of the EIR as an "informational" document. This places the majority decision in direct conflict with the mandate that CEQA not be interpreted "in a manner which imposes procedural or substantive requirements beyond those explicitly stated in this division or in the state guidelines." (Pub. Resources Code § 21083.1.)

Petitioners also repeatedly contend that the majority opinion has done nothing to interfere with SANDAG's lawful exercise of discretion. Yet on every issue the majority has overturned SANDAG's discretionary decisions based entirely on its own independent judgments as to what was necessary or desirable in the EIR. In each instance, the majority opinion discloses an unacceptable willingness to substitute judicial policy and factual judgments for those of qualified local and state agency experts on the relevant subjects. Clearly the most pressing issues from a statewide perspective are those concerning analysis of greenhouse gas (GHG) impacts and mitigation

measures. Because petitioners forfeited the remaining issues in the trial court, this Court certainly has discretion not to address them. However, if there will ever be a case in which the Court may address questions of judicial overreach in CEQA cases on a broad basis, this case manifestly presents the opportunity.

II. GREENHOUSE GAS IMPACTS

The petitioners, like the majority below, emphasize the allegedly fundamental role of EO S-03-05 in establishing "long-term" state climate policy. The CNFF petitioners further emphasize that EO S-03-05's goals are "scientifically supported." The question presented in this case, however, is whether the bare statistical statewide goals of EO S-03-05 are an appropriate – much less obligatory – standard for assessing the significance of GHG emissions from individual local projects under CEQA. The conclusions of the State Resources Agency and Air Resources Board – both members of the Governor's own Climate Action Team and both agencies with unquestioned scientific expertise on the subject – are that EO S-03-05 is not an appropriate measuring tool for CEQA level analysis. (See Guidelines § 15064.4(b); AR 320:27783-27804.) Petitioners cite no expert opinion or other evidence in the extensive technical literature in the record that provides scientific support for the majority's decision.

The reason for this is fairly obvious. Comparing the potential GHG emissions of any project, even a regional transportation plan ("RTP"), to long-term *statewide* objectives is not merely a matter of comparing apples to oranges, but pomegranate seeds to watermelons. It is true that Guidelines § 15064.4(b)(3) and case law recognize a value in assessing a project's GHG impacts against concrete, *legislatively* adopted plans for the reducing GHG emissions. But, as the scientific community and the dissent recognize, a comparison of individual project performance against EO S-03-05's year 2050

goal is essentially a meaningless statistical exercise in the absence of any actual statewide strategy for reaching this goal, or meaningful long-term performance goals for the type of project at issue. Here, the EIR did analyze GHG impacts against every current state and local standard that arguably applies.

The Attorney General, backpedaling furiously on arguments made below, suggests that the majority's reasoning may apply only to major planning projects such as RTPs or city and county general plans. But there is also nothing in the majority decision that would limit its application to such plans. The private petitioners certainly do not suggest that EO S-03-05 should be considered only in such limited contexts. Nor is there any reason they should. If, as all the petitioners contend, consideration of consistency with EO S-03-05's long-term goals is essential to any true understanding of the significance of GHG emissions, certainly this standard should be applied to all projects evaluated under CEQA. Indeed, the case for demanding consistency analysis for RTPs or local general plans is far less compelling, since these plans must by law be periodically reviewed and revised, and thus can be frequently amended to take advantage of emerging legal, technological or social changes that may facilitate GHG reductions. (Gov. Code § 65080(d), *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 572.) Once a typical housing, industrial or other development project has been approved, in contrast, local governments have limited ability to modify the plans to reduce emissions from the project in future decades.

Petitioners repeatedly contend that the EIR failed to "disclose" critical information or even "misled" the public as to the potential GHG impacts of the RTP. The EIR, however, quantitatively analyzed projected GHG emissions through the year 2050. (AR 8a:2567-2578.) It also discussed EO S-03-05,

and quantified the regional 1990 GHG emissions baseline that would be used to measure reductions. (AR 8a:2584, 8b:3767-3770.) Rather than failing to "disclose" the alleged inconsistency between EO S-03-05's long term goals and projected regional GHG emissions, the EIR provided all the information necessary for any reasonably intelligent person to ascertain the facts. Indeed, petitioners and the majority opinion rely, with queer logic, on the very information found in the EIR for the proposition that the EIR was somehow "misleading" with respect to long term GHG emissions.

The real problem here is not a lack of substantive information, but rather the talismanic value that petitioners and the majority place on EO S-03-05 as either a "consistency" benchmark or significance threshold.[1] This Court answered that type of argument long ago in *Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 415: "A project opponent or reviewing court can always imagine some additional study or analysis that might provide helpful information. It is not for them to design the EIR." (See also Guidelines § 15204(a) [EIR not required to perform every study demanded by commenters].)

Petitioners' attempts to reconcile the majority decision with Guidelines § 15064.4 warrant little comment. In each case, the parties ask this Court to accept that a GHG impact analysis that addresses *all* of the relevant criteria directed in Guidelines § 15064.4(b) is inconsistent with CEQA because it fails to analyze GHG impacts in terms of yet another criteria – EO S-03-05's 2050

[1] As the dissent correctly points out, the majority waffles on this issue because either alternative raises substantial legal issues. (Dissent, p. 4.) The petitioners and Attorney General argued below that EO S-03-05 effectively establishes a significance threshold, although they now shift gears to mesh with the majority opinion.

statewide reduction target – that is implicitly *rejected* as significance criterion in Guidelines § 15064.4(b)(3). Clearly, if some sort of analysis of "consistency" with EO S-03-05 is essential to fulfill CEQA's informational requirements, Guidelines § 15064.4 should be amended to state this, and is deficient in its current form. If this Court believed that to be true, it should most definitely grant review to specifically disapprove Guidelines § 15064.4. SANDAG, however, believes that the existing Guideline is well-considered, and review should be granted to ensure that the public agencies around the state who currently rely on this Guideline may continue to safely do so in the future.

The petitioners also claim that existing cases are merely *distinguishable* rather than in conflict with the majority decision because they address distinguishable factual situations. If the existing cases stand for anything, however, it is the proposition that a lead agency has *discretion* to choose among the many possible ways that a lead agency could evaluate GHG impacts. (*Citizens for Responsible Equitable Environmental Development v. City of Chula Vista* (2011) 197 Cal.App.4th 327, 335-336.) The cases also specifically endorse utilization of the significance standards applied by SANDAG in this case. The majority decision below clearly and unequivocally imposes an additional requirement that has no precedent – or support – in prior case law, the CEQA Guidelines, or CEQA itself.

Petitioners also cite no precedent whatsoever for requiring analysis of consistency with a Governor's executive order. This is clearly new and startling law. Petitioners seek to downplay the significance of this by asserting that the Legislature has "endorsed" the goals of EO S-03-05. They do not,

however, identify any legislation "endorsing" use of EO S-03-05 as a significance standard under CEQA.[2] The Legislature, and the executive branch itself, have also yet to adopt any identifiable *strategy* for achieving EO S-03-05's year 2050 goal. This raises one of the great mysteries created by the majority opinion – how local or regional agencies with limited powers are supposed to assess "consistency" of local projects with a reduction goal established for the entire state. Petitioners and the majority appear to assume here that SANDAG and the challenged RTP are somehow responsible for *all* future GHG emissions within the region, regardless of source, and that SANDAG's inevitable inability to singlehandedly reduce all of these emissions to 80% below 1990 levels makes the RTP "inconsistent" with EO S-03-05. As pointed out in SANDAG's petition, the state's GHG reduction strategy – the Scoping Plan – assigns local and regional planning measures responsibility for less than 3% of total statewide GHG reductions. It is thus quite possible that the measures in the challenged RTP will locally achieve their allotted share of GHG reductions through 2050, if their share remains the same under future state plans, and even if emissions from other sectors increase. It is also theoretically possible that the entire region will ultimately meet the overall 2050 target of EO S-03-05 if all other statewide measures currently being studied are adopted and successfully implemented. None of this can be known, however, until there is some actual state plan for achieving the 2050 reduction target of EO S-03-05 and some designated goals for reductions through transportation planning measures articulated. Similarly,

[2] Equally fatuous is CNFF's contention that the Scoping Plan and Climate Action strategy "incorporate" EO S-03-05's goals. While these documents certainly mention EO S-03-05, they nowhere adopt or "incorporate" its year 2050 goal as a performance standard.

the "consistency" with the RTP, or any other project, with the 2050 goal of EO S-03-05 simply cannot be realistically assessed until there is some actual plan for achieving this goal. It is thus premature at best to demand that local agencies undertake analysis of consistency with statewide GHG reduction goals for which the state itself has no attainment plan.

III. GREENHOUSE GAS MITIGATION MEASURES

The petitioners' discussion of GHG mitigation issues simply serves to highlight the problems identified in SANDAG's petition. Imaginative petitioners – or courts – can nearly always hypothesize some bigger, better, theoretically more effective or theoretically more desirable mitigation measures than those actually found feasible by a lead agency and included in an EIR. It is one thing to engage in mere disparagement of the choices made by the lead agency, however, and quite another to affirmatively show that additional mitigation measures are in truth reasonably available, legally enforceable, economically and technically feasible, and likely to be effective in practice. That is precisely why past case law has placed the burden on petitioners to both specifically identify additional mitigation measures that allegedly must be included in the EIR, and explain, with reference to credible evidence, why the additional mitigation measures are feasible and likely to further substantially reduce impacts.[3]

[3] CNFF also claims that it carried its initial burden of identifying additional feasible mitigation measures during the lower court litigation, albeit measures different than those identified as missing by the appellate majority. These claims were fully addressed in the briefing below. SANDAG clearly showed that every identifiable additional suggested mitigation measure was either infeasible or was already being implemented by SANDAG.

CNFF would apparently like to shift the burden back to SANDAG in this case by contending in conclusory fashion that the mitigation measures in the EIR were without "substance," "obviously inadequate" and fell "far short of facilitating the "fundamental changes in policy, technology, and behavior'" necessary to achieve statewide GHG reduction goals. (CNFF Answer, p. 22.) Such rhetoric is not a substitute for concrete analysis of the feasibility of additional mitigation measures that were allegedly wrongfully omitted from the EIR. Petitioners, however, inadvertently raise a good question: Should public agencies be required to develop mitigation measures for GHG emissions that in and of themselves require major changes in existing governmental policies, or programs for engineering large-scale technological or social changes? At least until today, the answer would seem to be no. (See *Concerned Citizens of South Central L.A. v. Los Angeles Unified School Dist.* (1994) 24 Cal.App.4th 826, 842 ["We are aware of no authority that would *require* the District, under the circumstances of this case, to consider a mitigation measure which itself may constitute a project at least as complex, ambitious and costly as the [proposed] project itself."].) Indeed, the fact that a purported mitigation measure could be implemented only by requiring major changes in existing policies, technology or social values is generally grounds for finding the mitigation infeasible, not for finding that a lead agency must undertake it. (Pub. Resources Code § 21061.1; *San Diego Citizenry Group v. County of San Diego* (2013) 219 Cal.App.4th 1, 16.) Such claims also raise the obvious question of how SANDAG, a regional planning agency with no police power or land use authority – or any other local government agency – could be expected to implement purported mitigation measures that would require fundamental changes in existing technology, the policies of other governmental entities, or the social values of the public at large. The

inconvenient truth that petitioners seek to avoid here is that truly significant GHG emission reductions will require comprehensive investment and planning efforts at the state, national and international levels; they will not be achieved through piecemeal "mitigation measures" adopted by local governments for individual projects. Local and regional agencies certainly can and must play a contributing role, but neither CEQA nor any other law currently vests them with legal authority beyond their normal powers, nor responsibility beyond their existing means, to eliminate GHG emissions within their geographical areas.

IV. FORFEITURE IN CEQA LITIGATION

Although petitioners deny they forfeited any claims in the trial court, the facts are not in dispute. Petitioners admit they did not object at any time to the trial court's refusal to decide additional issues, either at trial or later. Indeed, in their post-trial objections to the proposed judgment and in their own proposed judgment, petitioners specifically asked the court to memorialize its decision *not* to decide these issues. (Jt. App. 5, {84}1108:7-10, {86}1126:10-12.) Petitioners thus not only acquiesced to error, but affirmatively invited it. This results in forfeiture of the right to a decision on these issues under any reasonable interpretation of the forfeiture doctrine. (See, e.g., *Porterville Citizens for Responsible Hillside Development v. City of Porterville* (2008) 157 Cal.App.4th 885, 911-912.)

Petitioners claim that this case is distinguishable from others in which forfeiture has been found. The forfeiture doctrine, however, is a universal principle of litigation. (Civil Code § 3516.) Its application is not limited to specific factual or procedural situations. There is also utterly no basis for petitioners claim that it would have been futile to request a decision on additional issues by the trial court.

Petitioners' conduct was also clearly inconsistent with CEQA's statutory policy of expediting resolution of CEQA claims. (*Stockton Citizens for Sensible Planning v. City of Stockton* (2010) 48 Cal.4th 481, 500.) Transparently what petitioners were attempting to do was to preserve issues for further litigation, perhaps even if SANDAG complied with the initial judgment, without incurring the risk of an adverse judgment on these issues in the first instance. This is precisely the type of gamesmanship that should be vigorously condemned by all courts, and could be deterred by a decision of this Court.

As to whether the Court of Appeal should have addressed the forfeited issues, petitioners repeatedly assure this Court that all these issues involve mundane application of "well settled" principles of law unworthy of this Court's review. Nevertheless, petitioners deem the issues sufficiently important to have been decided by the Court of Appeal in the first instance, despite their failure to fully litigate them at the trial level. Had the majority below actually followed well-settled law, these issues might indeed not merit review. As it is, however, the majority's decision on every issue raises questions that, if unaddressed, are likely to spawn much unwarranted CEQA litigation.

V. ALTERNATIVES.

Petitioners' arguments concerning project alternatives tend to underscore, not undercut, the case for review. The problem presented by the majority decision is not that the background law concerning alternatives analysis is unclear, but that the majority decision conflicts with this law and vastly muddies the judicial waters. While alternatives analysis under CEQA can and must focus on reducing the significant environmental impacts relevant to a proposed project, there is no case law suggesting that an EIR must include

a complete and separate alternative focused on each potential environmental impact, let alone alternatives specifically dedicated to minimizing one particular contributing factor. Petitioners claim that reducing vehicle miles traveled ("VMT") is a "core purpose" of the RTP, but the record citation offered merely notes that reducing VMT is one of many complementary goals addressed by various components of the RTP. (AR 190:13151.) Petitioners' misrepresentation on this issue, however, is not the point. Undoubtedly many petitioners sincerely believe that some particular environmental effect or performance standard should be the primary focus of an alternatives analysis. Unless the majority opinion is correct, however, an EIR cannot be required to include specially focused alternatives for every individual environmental factor that petitioners deem important, nor be required to guess which particular individual factors petitioners or a court might consider to be most worthy of such special consideration.

Interestingly, petitioners do not deny that a VMT-focused alternative was never proposed by any party during the administrative proceedings or even in the litigation, but was hypothesized solely by the appellate majority. They also do not explain how such an alternative, if substantially different than the four transit-oriented alternatives already evaluated in the EIR, would actually be feasible. This underscores the majority's fundamental departure from the analytical methods used by other courts to evaluate the adequacy of an EIR's alternatives analysis. The focus can and must be on the question of whether additional suggested alternatives are potentially feasible and would actually provide greater environmental benefits in light of the evidence in the administrative record. Courts should not, like the majority here, postulate additional possible alternatives without requiring proof that the additional alternatives meet these criteria.

The CNFF petitioners contend that during the administrative proceedings they presented more transit-intensive alternatives that "would achieve environmental benefits." Petitioners disingenuously fail to mention that these alternatives were fully evaluated in the EIR and determined to be both infeasible and unlikely to achieve the promised benefits. (AR 8a:3805-3811.) That, of course, is how the system is supposed to work. Citizens are entitled to present potential alternatives, even fanciful ones, and have them considered for possible inclusion in the EIR. Had the majority below correctly confined its decision to determining whether substantial evidence supported SANDAG's decision to reject these additional alternatives, there would indeed be little need for Supreme Court review. Instead, the majority held that the range of alternatives in the EIR (eight, analyzed in over 200 pages of text) was inadequate for lack of providing an additional alternative, the potential feasibility of which was never demonstrated by any party, nor even discussed by the court itself, at any stage of the proceedings. If, as the majority opinion indicates, all that is necessary to invalidate an alternatives analysis is to *imagine* some additional alternative or variation that might conceivably reduce some particular environmental factor, few EIRs will be safe from legal challenge.

VI. AIR QUALITY IMPACTS

Petitioners attempt to portray the majority opinion concerning health impacts as merely a fact-based determination that the EIR was deficient as a program-level informational document. The additional information the majority deemed lacking, however, is precisely the type of more detailed information that will be provided in future project-level EIRs that focus on specific future projects and affected transportation corridors. This case is thus very much about whether CEQA's tiering principles allow public agencies to

defer detailed evaluation of potential future localized impacts in a program EIR, or whether petitioners and the majority are correct that a program EIR must analyze and disclose *all* that it "reasonably can" at the "earliest possible stage" of environmental review. (Majority, pp. 36, 38; AG Answer, p. 23.)

The CNFF petitioners seek to defuse the issue by conceding the general proposition that a tiered EIR should focus on impacts and mitigation measures that are "determined" by the current agency approvals. They then proceed, however, to stand this proposition on its head by positing that essentially all future health impacts will be "determined" by approval of the RTP. (*Vineyard Area Citizens for Responsible Growth, Inc. v. City of Rancho Cordova* (2007) 40 Cal.4th 412, 431.) This is nonsense. The RTP serves an important purpose in planning long-term transportation investment priorities, but the hundreds of projects actually listed in a RTP range from near-term projects for which detailed separate CEQA review has already been completed, to contemplated future projects that may never be undertaken if projected funds fail to materialize, or may be greatly modified due to future changes in transportation technology, development patterns, social demands or state and federal laws. In every case, net impacts and appropriate mitigation measures can only realistically be determined based on the particulars of each project and conditions that exist when – and if – each individual project is ultimately approved.

The Attorney General also claims that the EIR failed to "correlate" predicted emissions to health impacts. (AG Answer, p. 22.) It is apparent that the Attorney General equates "correlating" with some sort of quantitative analysis, such as excess cancer cases per million. However, as the record shows, this is precisely the kind of information that is developed through project-level review, and could not reasonably be calculated on a regional

scale. (AR 320:28066-28325.) Petitioners also contend there is no substantial evidence to support SANDAG's conclusion that a meaningful and more detailed analysis was presently infeasible. Neither petitioners nor the majority opinion, however, state what type of evidence they deem necessary. The record is replete with relevant evidence such as the geographical scope and number of individual proposed projects in the RTP, the range and complexity of variables that needed to be considered to meaningfully assess transportation related health impacts and the accuracy of existing modeling tools. Petitioners and the majority simply wish to substitute their private judgment for that of SANDAG's qualified expert staff as to what level of meaningful forecasting was feasible in those circumstances.

Petitioners also completely disregard the fundamental problems of premature, repetitive and potentially wasteful environmental review that tiering is intended to combat. (*Town of Atherton v. California High-Speed Rail Authority* (2014) 228 Cal.App.4th 314, 346-347.) The majority opinion would require planning agencies to conduct a comprehensive health impact analysis every time they update area plans, no matter how uncertain the predicted future impacts were actually likely to occur in practice. This cannot be reconciled with the tiering principles mandated by Public Resources Code § 21093.

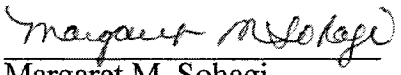
VII. AGRICULTURAL IMPACTS

The CNFF petitioners contend that the majority's holding on agricultural impacts is too fact-specific to warrant review, but also unwittingly reprise the issue here that is of broader concern. As CNFF puts it, SANDAG's error was to rely on data sets that "either were outdated or failed to account for *all* relevant farmland." (CNFF Answer, p. 38, emphasis added.) But must the data utilized in an EIR be perfect? The evidence relied on by majority was

nothing more than a short memo stating that a computer database utilized by SANDAG "may" not capture all lands in current agricultural use. (AR 346:30229.) That same computer database is commonly used by all public agencies in San Diego County for preparing EIRs and planning studies, as are similar shared databases in many planning regions. The majority decision, though linked to specific facts in this case, thus very much raises the question of whether minor errors in data or minor disclaimers about accuracy in data sources may in and of themselves be grounds for invalidating an EIR, particularly where, as here, no additional information suggests that the alleged error was substantial or statistically significant in scope. In short, has "perfection" become the standard by which EIRs are judged, in spite of CEQA Guidelines § 15151 and case law to the contrary?

VIII. CONCLUSION

Petitioners have shown no basis for concluding the legal issues presented in this case are either settled or unworthy of review. For the reasons stated, the petition for review should be granted.

DATE: February 4, 2015 By: 

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CERTIFICATION OF WORD COUNT

The text of the REPLY TO ANSWERS TO PETITION FOR REVIEW consists of 4,199 words, including footnotes. The undersigned legal counsel has relied on the word count of the Microsoft Word 2013 Word processing program to generate this brief. (Cal. Rules of Court, Rule 8.204(c)(1).)

DATE: February 4, 2015 By: Margaret M. Sohagi

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Cleveland National forest Foundation; Sierra Club; Center for Biological Diversity; CREED-21; Affordable Housing Coalition of San Diego; People of the State of California v. San Diego Association of Governments; San Diego Association of Governments Board of Directors;

Supreme Court of the State of California
Case No. S223603

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 11999 San Vicente Boulevard, Suite 150, Los Angeles, California 90049.

On February 4, 2015, I served true copies of the following document(s) described as **REPLY TO ANSWERS TO PETITION FOR REVIEW** on the interested parties in this action as follows:

☒ BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address cmcaleece@sohagi.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☒ BY OVERNIGHT DELIVERY: I enclosed said document(s) in an envelope or package provided by the overnight service carrier and addressed to the persons at the addresses listed in the Service List. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight service carrier or delivered such document(s) to a courier or driver authorized by the overnight service carrier to receive documents.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 4, 2015, at Los Angeles, California.

Cheron J. McAleece
Printed Name

Signature

Cleveland National forest Foundation; Sierra Club; Center for Biological Diversity; CREED-21; Affordable Housing Coalition of San Diego; People of the State of California v. San Diego Association of Governments; San Diego Association of Governments Board of Directors;

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